IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTIETH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 222 of 1999

Between:

M/s. Shiridi Sai Baba Slab Polishing Industry rep. by

G. Upendra Kumar, S/o G. Ramachandraiah, aged 23 years,

Betamcherla Village, Kurnool District.

..... PETITIONER

AND

1. The Andhra Pradesh State Electricity Board,

rep. by its Member Secretary, Vidyut Soudha,

Hyderabad.

2. The Chief Engineer, Electricity A.P.S.E.B.,

Cuddapah Zone, Cuddapah District.

3. The Superintendent Engineer,

A.P.S.E.B., Cuddapah,

Cuddapah District.

4. The Assistant Engineer, Betamcherla, Kurnool District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the

circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or direction more particularly one in the nature of writ of Mandamus declaring the Proceedings No.Lr.No.CE/CzCDP/C&P/221/A.91-98-KNL/4722/98, dt 21.9.1998 passed by the 2nd respondent as illegal, arbitrary, and against the Electricity Supply Act and pass such other order or orders as are deemed fit and proper in the circumstances of the case.

Counsel for the Petitioner:MR.G.VEERA REDDY

Counsel for the Respondent No.: SMT.M.VINOBHA DEVI

The Court made the following :

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ORAL ORDER:

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Heard both sides.

Admittedly, in this case, as against the provisional assessment order dated 21.9.1998, the petitioner filed regular appeal before the 2nd respondent, which is pending consideration. It is only due to the action of the respondents in trying to disconnect the power supply, the present writ petition has been preferred.

Having heard both the counsel and on considering the material on record, since the appeal preferred by the petitioner is pending, this court cannot go into the merits of the case, at this stage.

The writ petition is accordingly disposed of. It is open for the respondents herein to dispose of the said appeal as expeditiously as possible, if not already disposed of. No order as to costs.

30.12.2004

CVM

That Rule Nisi has been made absolute as above.

Witness the Hon'ble Sri Devinder Gupta, the Chief Justice on this Thursday day the Thirtieth day of December Two thousand and four.

REGISTRAR

To

To,

1. The Andhra Pradesh State Electricity Board,

rep. by its Member Secretary, Vidyut Soudha,

Hyderabad.

2. The Chief Engineer, Electricity A.P.S.E.B.,

Cuddapah Zone, Cuddapah District.

3. The Superintendent Engineer,

A.P.S.E.B., Cuddapah,

Cuddapah District.

4. The Assistant Engineer, Betamcherla, Kurnool District.

5. 2 CD copies.